

DEPARTMENT OF PLANNING
STAFF REPORT

PLANNING COMMISSION PUBLIC HEARING

DATE OF HEARING: July 28, 2006
CMPT 2008-0016, T-Mobile at Baha'i Faith Center
DECISION DEADLINE: October 31, 2010
ELECTION DISTRICT: Sugarland Run
PROJECT PLANNER: Jane McCarter, AICP **DIRECTOR:** Julie Pastor, AICP

EXECUTIVE SUMMARY

T-Mobile Northeast of Beltsville, Maryland has submitted an application for Commission approval to permit the construction of three (3) quad telecommunication antennas inside concealment canisters and three (3) associated equipment cabinets on the roof of an existing three-story building in the R-4 (Single Family Residential) zoning district. This application is subject to the Revised 1993 Zoning Ordinance and the proposed use requires a Commission Permit in accordance with Section 6-1101. The existing three-story building is known as the Baha'i Faith Center and is located on 2.30 acres at the northwest quadrant of the intersection of Harry Byrd Highway (Route 7), Cardinal Glen Circle (Route 846), and North Sterling Boulevard (Route 846). An accompanying minor special exception (SPMI 2010-0012) to permit the location of the telecommunications facility on a structure of less than 40 feet in height has been requested for action by the Board of Supervisors. The area is governed by the policies of the Revised General Plan (Suburban Policy Area (Potomac Community)) and the Strategic Land Use Plan for Telecommunications Facilities, which designate this area for Residential uses.

RECOMMENDATION

Staff recommends that the Planning Commission forward this application to the Board of Supervisors with a recommendation of approval based on the findings and subject to the conditions included in this report.

SUGGESTED MOTIONS

1. I move that the Planning Commission approve CMPT 2008-0016, T-Mobile at Baha'i Center, and forward it to the Board of Supervisors for ratification based on the Findings contained in this report and with the Commission Permit Plat dated June 10, 2008, revised through May 5, 2010, prepared by Daft, McCune, Walker Inc.

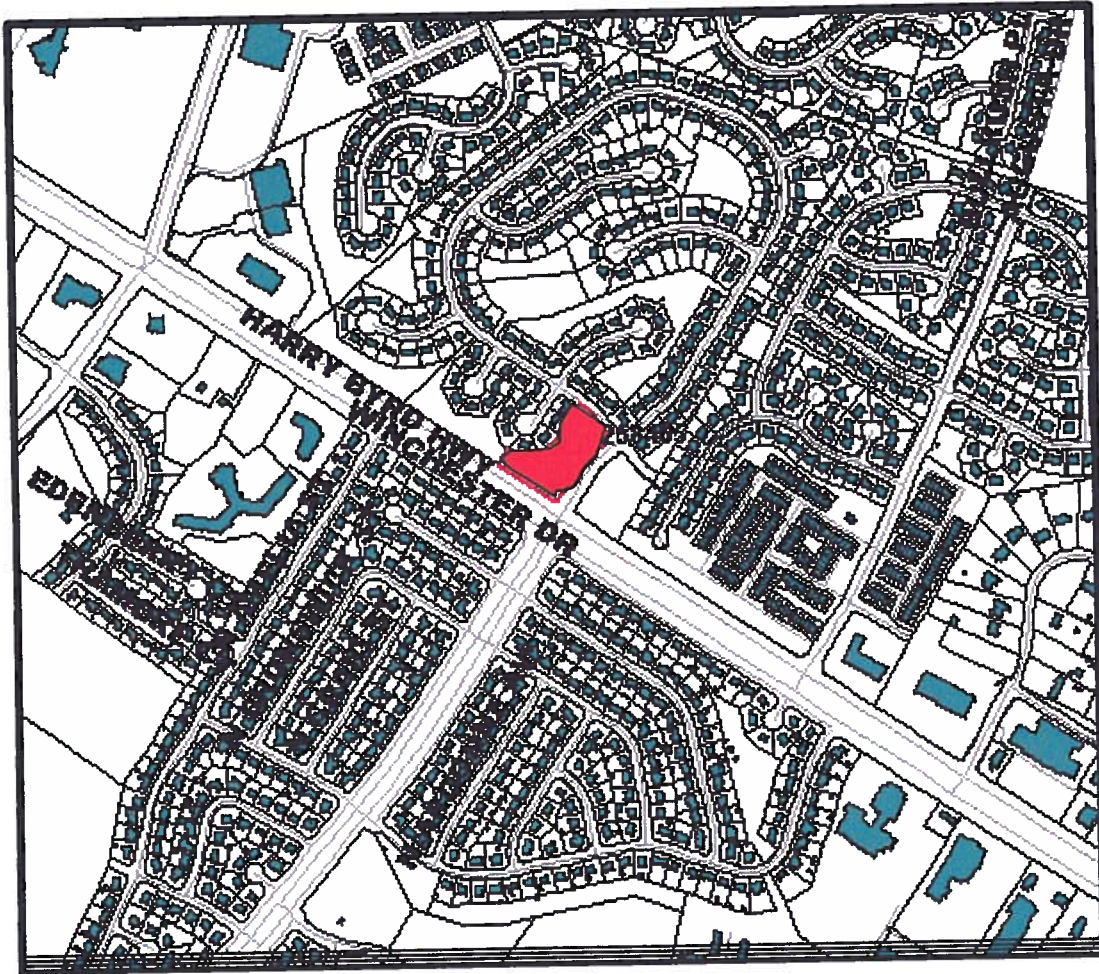
Or

2. I move that the Planning Commission forward CMPT 2008-0016, T-Mobile at Baha'I Center, to committee for further discussion.

Or

3. I move an alternate motion.

VICINITY MAP



Directions: From Leesburg, proceed eastward on Harry Byrd Highway (Route 7) approximately 11 miles to the intersection of Route 7, Cardinal Glen Circle (Route 846), and North Sterling Boulevard (Route 846). Turn right (north) onto Cardinal Glen Circle. The property is located on the left at the Spiritual Assembly of Baha'I building at 21415 Cardinal Glen Circle.

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I. APPLICATION INFORMATION

APPLICANT: T-Mobile Northeast
Amy Bird, Zoning Manager
12050 Baltimore Avenue
Beltsville, MD 20705
410-703-6541

REPRESENTATIVES: T-Mobile Northeast
Amy Bird, Zoning Manager
12050 Baltimore Avenue
Beltsville, MD 20705
410-703-6541

PROPOSAL: A Minor Special Exception and Commission Permit to allow a telecommunications facility and associated equipment on the roof of the structure in the R-4 zoning district.

LOCATION: On the northwest corner of the intersection of Harry Byrd Highway (Route 7) and Cardinal Glen Circle (Route 846) at the Spiritual Assembly of the Baha'is house of worship.

TAX MAP/PARCEL: Tax Map—/82/G/1/////E/ MCPI—013-25-8465

ZONING: R-4

PROPOSED RESIDENTIAL UNITS: N/A

PROPOSED NON-RES SQUARE FOOTAGE: Approximately 308 sq. ft.
telecommunications facilities

SURROUNDING LAND USES/ZONING:

NORTH	R-4	Residential - Countryside
SOUTH	PD-H3	Residential - Sterling Park
EAST	R-4	Residential - Countryside
WEST	R-4	Residential - Countryside

ELECTION DISTRICT: Sugarland Run

II. SUMMARY OF DISCUSSION

Topic/ Issue Area	Issues Examined and Status
Land Use	Location conforms to policy as structure is tallest in the vicinity for signal infill. NO ISSUE.
	Visual impact in conformance with design guidelines and addresses color, texture, materials, screening. NO ISSUE – See Plat notes.
	Removal of facilities within 90 days of cessation of use. NO ISSUE – See Plat notes.
Zoning	Demonstrated that no existing structure greater than 40' is feasible for signal infill; RESOLVED – see revised Statement of Justification.
	Make several plat revisions, including notes regarding Ordinance sections, dimensions, proposed service providers, etc. RESOLVED – See Plat.
	Minor SPEX application for Board action required. NO ISSUE – Application under consideration by Board of Supervisors for action.

Policy or Ordinance Sections Subject to Application
<u>Revised General Plan</u>
Chapter 7, Planned Land Use Map
<u>Strategic Land Use Plan For Telecommunications Facilities</u>
Countywide Visual Impacts, Policy 1
Countywide Visual Impacts, Policy 2
Countywide Visual Impacts, Policy 3
Safety and Health Policies, Policy 2
Countywide Location Policies, Policy 1
Countywide Location Policies, Policy 5
By- Right Uses, Policy 2
<u>Revised 1993 Zoning Ordinance</u>
Section 5-618(A)(1)
Section 6-1103(A)

III. FINDINGS

1. Commission Permit (CMPT) 2008-0016 is in conformance with the general location and design policies outlined in the Revised General Plan and Strategic Land Use Plan for Telecommunications Facilities which identifies co-location on existing tall structures as a preferred location for telecommunication antennas.
2. The proposed project would not create an unnecessary visual impact on the nearby properties, provided that the proposed telecommunication facility is constructed as proposed.

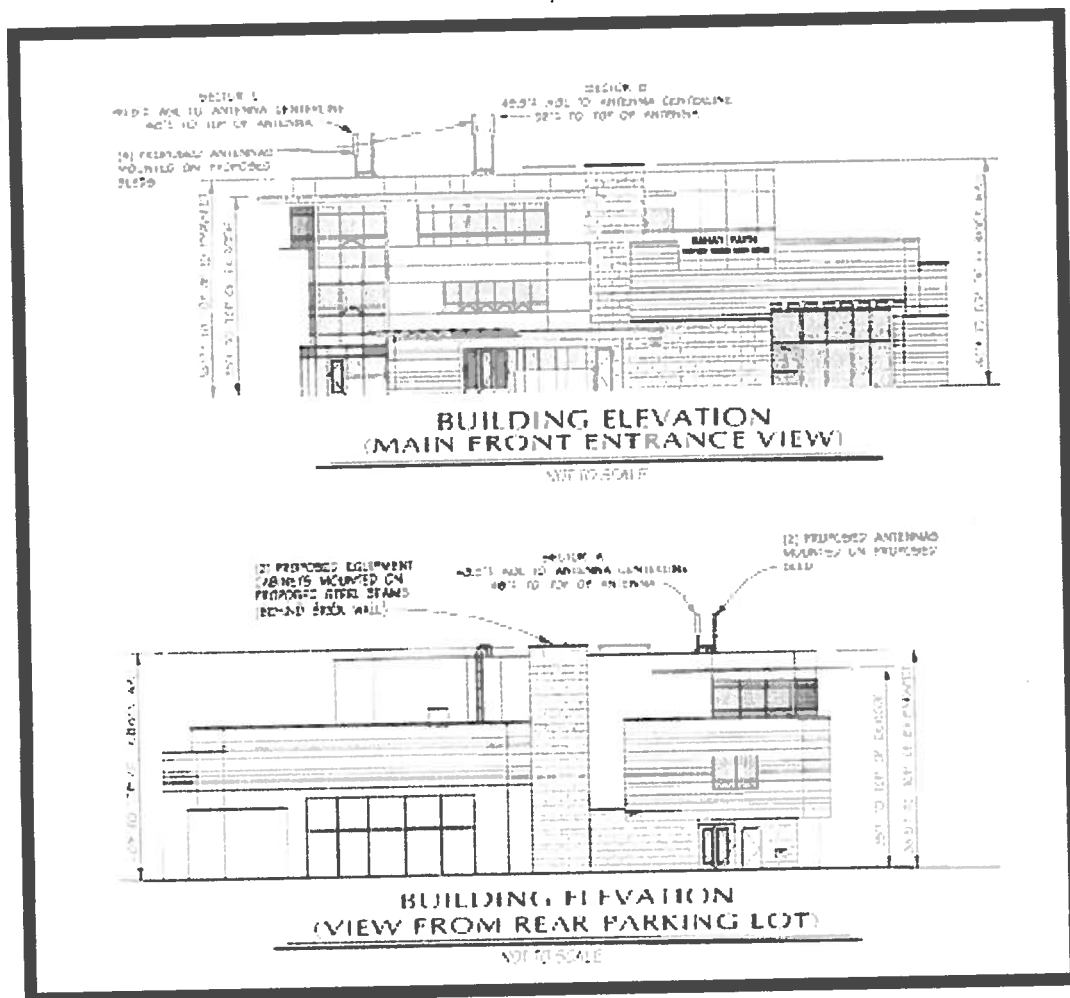
3. Subject to subsequent approval of the Minor Special Exception to permit location on a building of less than 40 feet in height the proposal conforms to the requirements of the Revised 1993 Zoning Ordinance.

V. PROJECT REVIEW

A. CONTEXT

In accordance with Section 6-1100 of the Revised 1993 Zoning Ordinance, a Commission Permit is required when a public utility or public service facility is constructed. A Commission Permit is used to determine if the general location, character and extent of the proposal is in substantial accord with the Comprehensive Plan.

T-Mobile Northeast, LLC is requesting a Commission Permit to locate three (3) quad antennas within concealment canisters and three (3) equipment cabinets on the roof of the Baha'i Faith Center located at 21415 Cardinal Glen Circle adjacent to the Cardinal Glen residential community in Sterling.



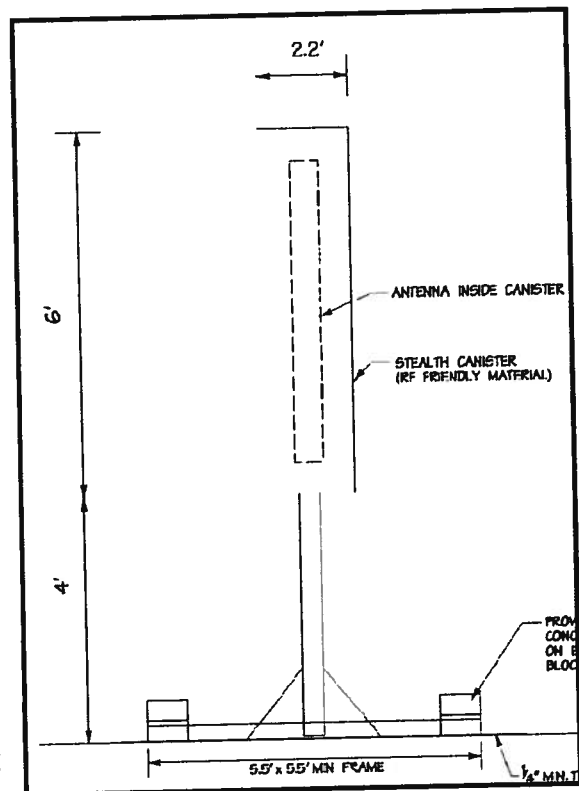
As shown above the Baha'i Faith Center is an irregularly shaped 3-story, modern contemporary design building recently built, generally curvilinear exterior with rectilinear elevations, which is approximately 35 feet in height and presents an upper and lower flat roof with low parapet walls.

The proposed telecommunication antennas will be located on the upper roof of the building and will be located near the exterior of the parapet wall. The antennas will be contained within concealment canisters of fiberglass tubes that enclose multiple antennas. The canisters will be painted to match the building and will be visible from the surrounding residential developments of Cardinal Glen, Richland Acres and Sterling Park. The associated equipment cabinets will be located on a platform behind the existing brick parapet wall and will be screened from view as they extend less than eight inches above the brick wall. The three (3) associated equipment cabinets (measuring up to 5 feet 4 inches high) are located within a 180 square foot area of the roof.

The concealment canisters are slender circular fiberglass structures approximately 2.2 feet wide and six feet in height and mounted on four foot poles as shown in the photosimulation attachments and on Sheet Z-2 of the plat. The top of the concealment canisters will extend to approximately 45 feet above the ground, and sits on top of the 35 foot tall building (see above and Sheet Z-1 of the Special Exception Plat). The Applicant has committed to a light grey color scheme on the plat to blend with the existing Baha'i Faith Center architecture and the skyline.

The subject site is zoned Residential-4 (R-4) and is governed under the provisions of the Revised 1993 Zoning Ordinance. Telecommunication antennas are permitted by-right on existing structures forty (40) feet in height or greater. The installation of the proposed antennas and associated equipment on the existing building requires no land disturbance activities. Surrounding uses consist of residential subdivisions of Cardinal Glen, Richland Acres, Rolling Woods, and

Sterling Park communities with local retail areas further afield. The site has road frontage on Harry Byrd Highway (Route 7). A Minor Special Exception is also required for the proposed use upon a structure of less than 40 feet in height. An accompanying minor special exception (SPMI 2010-0012) to permit the location of the telecommunications facility on a structure of less than 40 feet in height has been requested for action by the Board of Supervisors. The installation of the proposed



**CONCEALMENT CANISTER
SCREENING ANTENNAS INSIDE**

disturbance or impact on any aspects of the Green Infrastructure as outlined in the Revised General Plan.

At this time, the sole carrier is T-Mobile Northeast, LLC, however the proposed concealment structure have positions available for up to 5 more antennas. The applicant has provided coverage maps (see attachments) that show the lack or sporadic cellular reception coverage that exists in the surrounding communities, and the coverage that would result from this facility being approved.

B. SUMMARY OF OUTSTANDING ISSUES

All of the issues identified in the referral comments have been addressed in the Applicant's response memos dated May 27, 2010 and March 22, 2010 or on the revised commission permit plat. There are no outstanding issues with this application.

C. OVERALL ANALYSIS

COMPREHENSIVE PLAN

The site is located in the Potomac Community within the Suburban Policy Area and is governed under the policies of the Revised General Plan (the Plan). The Revised General Plan designates this area for Residential uses (Revised General Plan, Chapter 7, Planned Land Use). The proposed use is specifically governed under the policies of the Strategic Land Use Plan for Telecommunications Facilities (Telecommunications Plan).

LOCATION

The Telecommunication Plan (TP) policies establish a hierarchy of preferred locations for new commercial public telecommunication facilities and seeks collocation on existing buildings, towers, monopoles, other tall structures to minimize the need for new structures. An Applicant must demonstrate to the County that location on an existing tall structure, greater than 50 feet in height, is not feasible within a one-mile radius of the proposed site in the Suburban Policy Area. Staff requested the Applicant consider collocating on other existing tall structures within the vicinity of the subject site including the Old Dominion University Building at Mirror Ridge, where telecommunication facilities currently exist in order to limit the proliferation of telecommunication sites and mitigate their visual impact on the surrounding area. The three-story, Old Dominion University Building is located on a small ridge within a commercial/retail center less than 1,600 feet (0.3 miles) northwest of the subject site.

Currently the Applicant has facilities on the Old Dominion University Building and through this application is seeking an additional location to provide improved and more comprehensive wireless coverage along segments of Route 7 as well the surrounding residential areas.

The applicant has provided two signal coverage "propagation" maps (see Attachments 50-51), one depicting current coverage patterns and the other depicting improved

coverage that would result with the facilities proposed. The subject property is located within an area of the County that is planned for and has been largely developed with residential uses; as a result, there is limited availability of existing commercial and industrial sites for locating a telecommunication facility that will serve the area proposed by this application.

Staff finds that the proposed site and the telecommunications facility fulfills the location policies as identified by the TP.

DESIGN GUIDELINES AND VISUAL IMPACT

The Telecommunications Plan calls for design standards to mitigate the visual impacts of commercial public telecommunications facilities so as to "blend with the natural and built environment of the surrounding area". The Plan directs that specific attention be paid to issues pertaining to the setting, color, lighting, topography, materials, and architecture to mitigate the potential visual impact of telecommunication facilities.

The application includes drawings and photosimulations (see Attachments 35-49) depicting how the three (3) telecommunication antennas within the concealment canisters three (3) equipment cabinets will appear in association with the existing building (see attachments). The proposed concealment canisters will be mounted 10 feet above the roof and 6 feet above the parapet wall of the building. In accordance with Plan policies, the applicant has agreed to a light grey color scheme to match the color of the building in order to camouflage the proposed facility and match the existing architectural design of the Baha'i Faith Center and the skyline.

Staff finds that the proposed design, color scheme, and materials mitigate the visual impact and comply with the design guidelines as identified within the TP.

SAFETY AND HEALTH POLICIES

Plan policies state "an applicant or its successors shall remove all unused structures and facilities from a commercial public telecommunications site, including towers and monopoles, within 90 days of cessation of commercial public telecommunications use or the expiration of the lease, whichever occurs first, and the site should be restored as closely as possible to its original condition". The applicant has noted on the plat compliance with this policy.

Staff notes the applicant has committed to removal of the telecommunication equipment following cessation of use through inclusion of a note on the plats.

ZONING

The subject site is zoned R-4 (Single Family Residential) and is governed under the provisions of the Revised 1993 Loudoun County Zoning Ordinance. In accordance with Sections 5-618(A)(1) and 6-1101 of the Zoning Ordinance, a Commission Permit is required when a public utility or public service facility is constructed, and is used to determine if the general location, character, and extent of the proposed use is in substantial accord with the Comprehensive Plan. Several key issues were identified

during staff review regarding plat notes, design, and structure height. Staff and the applicant met to discuss these issues, and with the exception of the location on a structure of less than 40 feet in height they were resolved and require no further action

A Minor Special Exception is required for the proposed use on a structure of less than 40 feet in height in accordance with Section 6-1300 of the Zoning Ordinance. The proposed location atop the Baha'i Faith Center is a 35 foot building, however it is taller than most of the surrounding structures within the area. The Minor Special Exception application, SPMI 2010-0012, will be addressed by the Board of Supervisors at public hearing.

D. ZONING ORDINANCE CRITERIA FOR APPROVAL

Section 6-1310 of the Revised 1993 Zoning Ordinance states "In considering a Special Exception application, the following factors shall be given reasonable consideration. The applicant shall address all the following in its statement of justification or Special Exception plat unless not applicable, in addition to any other standards imposed by this Ordinance":

Standard *Whether the proposed Special Exception is consistent with the Comprehensive Plan.*

Analysis The proposed site is not a preferred location for a telecommunications facility as the structure is under 40 feet in height, however there are no other tall structures available to address the specific coverage concerns along Route 7, and within the Cascades and Cardinal Glen communities. The use is a permitted use for a structure over 40 feet in height. This site meets the goals of locating on an existing structure, colocating carriers, and mitigating visual impact by blending into the surrounding environment.

Standard *Whether the proposed Special Exception will adequately provide for safety from fire hazards and have effective measures of fire control.*

Analysis The new structures associated with the proposed use will meet all applicable fire and building code requirements. The structures will not present fire or safety hazards.

Standard *Whether the level and impact of any noise emanating from the site, including that generated by the proposed use, negatively impacts the uses in the immediate area.*

Analysis The proposed facility is not anticipated to produce noise, however, equipment cabinet covers, the parapet wall, and the location atop a three story building will work to mitigate any noise emanating to ground level.

Standard *Whether the glare or light that may be generated by the proposed use negatively impacts uses in the immediate area.*

Analysis No lighting shall be provided as part of this application.

Standard *Whether the proposed use is compatible with other existing or proposed uses in the neighborhood, and adjacent parcels.*

Analysis The proposed concealment canisters will completely camouflage the telecommunications facilities from view, and the exterior of the structures will be consistent with the architectural character of the existing building design.

Standard *Whether sufficient existing or proposed landscaping, screening, and buffering on the site and in the neighborhood to adequately screen surrounding uses.*

Analysis The existing use has landscaping and buffering onsite. In utilizing the existing structure, and painting the equipment to match the structure, the Applicant is mitigating the visual impact of the proposed facility.

Standard *Whether the proposed Special Exception will result in the preservation of any topographic or physical, natural, scenic, archaeological or historic feature of significant importance.*

Analysis The location of the proposed use upon an existing newer structure will have no effect upon any topographic or physical, natural, scenic, archaeological or historic feature of significant importance.

Standard *Whether the proposed Special Exception will damage existing animal habitat, vegetation, water quality (including groundwater) or air quality.*

Analysis The proposed special exception uses are not anticipated to have any adverse impacts on the environment.

Standard *Whether the proposed Special Exception at the specified location will contribute to or promote the welfare or convenience of the public.*

Analysis The proposed facility would increase the wireless coverage for this area adding to the connectedness throughout the County.

Standard *Whether the traffic expected to be generated by the proposed use will be adequately and safely served by roads, pedestrian connections and other transportation services.*

Analysis The proposed use is an unmanned facility requiring one visit per month and thereby having minimal effect upon existing transportation infrastructure.

Standard *Whether, in the case of existing structures proposed to be converted to uses requiring a Special Exception, the structures meet all code requirements of Loudoun County.*

Analysis The proposed use is encouraged to locate on an existing structure and will comply with all applicable code requirements.

Standard *Whether the proposed Special Exception will be served adequately by essential public facilities and services.*

Analysis The proposed use is unmanned and will have minimal impact upon public facilities and services.

Standard *The effect of the proposed Special Exception on groundwater supply.*

Analysis It is anticipated that the proposed special exception will have no adverse effect on the groundwater supply.

Standard *Whether the proposed use will affect the structural capacity of the soils.*

Analysis The proposed use will have no affect upon the structural capacity of the soils.

Standard *Whether the proposed use will negatively impact orderly and safe road development and transportation.*

Analysis It is anticipated that the proposed use will not impact the safe and orderly pattern of road development and local transportation.

Standard *Whether the proposed Special Exception use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan.*

Analysis No employment is directly related to the proposed use. By expanding and improving cellular reception, businesses of all levels will benefit from reliable wireless communications within this region of the County.

Standard *Whether the proposed Special Exception considers the needs of agriculture, industry, and businesses in future growth.*

Analysis Dependable wireless service is an essential communication service for these business's growth and development.

Standard *Whether adequate on and off-site infrastructure is available.*

Analysis Adequate on and off-site infrastructure exist for the use which is anticipated to have no impact on these services.

Standard Any anticipated odors which may be generated by the uses on site, and which may negatively impact adjacent uses.

Analysis There will be no offensive or unusual odor generation from the proposed use.

Standard Whether the proposed Special Exception uses sufficient measure to mitigate the impact of construction traffic on existing neighborhoods and school areas.

Analysis Construction of the proposed use will have minimal impact on existing neighborhoods or school areas as construction is anticipated to be staged from the existing facility parking lot.

V. ATTACHMENTS

	PAGE #
1. Review Agency Comments	
a. Planning, Comprehensive Planning	(5/27/10; 4/20/10; 3/4/10) A-01
b. Building and Development, Zoning Administration	(4/23/10; 3/4/10) A-11
2. Applicant's Statement of Justification	(3/22/10) A-15
3. Applicant's Response to Referral Comments	(3/22/10; 5/6/10) A-22
4. Applicant's Area Photos and Photosimulations	A-26
5. Applicant's Coverage Maps	A-50
6. Applicant's Disclosures	A-52
7. Special Exception Plat Set	(revised 5/5/10) Attached